

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROLAND ADAMS,

Plaintiff,

v.

ABBOTT LABORATORIES,

Defendant.

Case No. 2:24-cv-00555-DC-JDP (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(ECF Nos. 26, 34)

Plaintiff Roland Adams is proceeding *pro se* in this action for products liability against Defendant Abbott Laboratories. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 24, 2025, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 34.) On April 4, 2025, Defendant filed objections to the pending findings and recommendations. (ECF No. 35.) That same day, Plaintiff also filed objections to the pending findings and recommendations. (ECF No. 37.) Thereafter, on April 18, 2025, Defendant filed a response to Plaintiff's objections. (ECF No. 38.) The parties' objections do not provide a basis upon which to reject the pending findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602

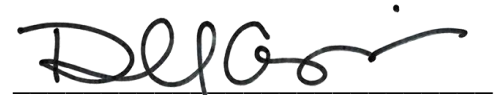
1 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*.
2 *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the
3 magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”).
4 Having reviewed the file, including the parties' objections, the court finds the findings and
5 recommendations to be supported by the record and by the proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The proposed findings and recommendations dated March 24, 2025 (ECF No. 34)
8 are ADOPTED in full;
- 9 2. Defendant's motion to dismiss (ECF No. 26) is GRANTED;
- 10 3. Within thirty (30) days from the date of this order, Plaintiff may file a second
11 amended complaint; and
- 12 4. This matter is referred back to the assigned magistrate judge for further
13 proceedings.

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15 IT IS SO ORDERED.

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17 Dated: September 14, 2025

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19 Dena Coggins
20 United States District Judge
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